IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.
WRIT PETITION NO.5511 OF 2006

Shri Dadu Ananta Jadhav, .. Petitioner.
Vs
Shri Maruti Bayaji Jadhav & ors. .. Respondents.

Mr Dilip Bodake, for the petitioner.
Mr Vinod Jadhav, for respondent nos 1 and 2.

CORAM : D.B.BHOSALE,J.
DATE : 12.09.2006

PC:

1. Heard the learned counsel for the parties.

2. The petitioner has impugned the order dated 22.6.2006 by which the application at Exhibit-100 filed by the respondents-defendant nos 1 and 2 seeking appointment of the court commissioner was allowed. I am informed that the Court Commissioner has already completed the work of the commission and submitted his report before the trial Court. It is always open for the petitioner to file his objections to the report. In view of the fact that the Commissioner has already carried out the commission work, the judgment relied upon by Mr Bodake, learned counsel for the petitioner of this Court in Sanjay s/o Namdeo Khandare Vs. Sahebrao s/o Kachru Khandare and ors, 2001 (1) ALL MR 653, is of no avail to the petitioner. The writ petition is accordingly disposed of. All contentions are kept open.

(D.B.BHOSALE,J.)